



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/505,385	02/16/2000	Erik P. Staats	APPL-P2827	6463

7590 10/26/2004  
VictorJ. Gallo  
Sierra Patent Group Ltd  
P O BOX 6149  
Stateline, NV 89449

EXAMINER

WON, MICHAEL YOUNG

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 10/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/505,385

Applicant(s)

STAATS, ERIK P.

Examiner

Michael Y Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 1-4, 6 and 9-13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-13 are pending with this action.

#### ***Claim Objections***

2. Claims 1-4, 6, and 9-13 are objected to because of the following informalities: The amendment filed August 20, 2004 state claims 1-4, 6, and 9-13 as "(Withdrawn)", but the examiner did not restrict any claims in this application. The applicant(s) is/are suggested in using the status identifier "(Canceled)" for claims 1-4, 6, and 9-13 in reply to this office action. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The

Art Unit: 2155

examiner could not find support in the specification to conclude how transport routing information is established from the steps recited in claim 5. The applicant is suggested to specifically point out by page and line number, from the specification, each of the steps claimed in claim 5. And also specifically point out from the specification that such steps in combination derive at "establishing transport routing information" (see CFR 1.75 d1).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The examiner could not determine how transport routing information is established from the steps recited in claim 5. The applicant is suggested to specifically point out by page and line number, from the specification, each of the steps claimed in claim 5. And also specifically point out from the specification that such steps in combination derive at "establishing transport routing information" (see CFR 1.75 d1).

Art Unit: 2155

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 5, 7, and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Takayama (US 5,991,842 A).

As per claim 5, Takayama teaches a method for establishing transport routing information in an AV/C transaction data delivery system (see col.4, lines 23-31), comprising in combination: a transport controller (see col.2, lines 3-5) detecting a transport (see col.10, lines 4-13 & 57-59: note: Takayama teaches when a device (switch 12) is detected the system "realizes the functions" and can "perform communications suitable for each function" (see abstract). Furthermore, Takayama teaches that the detecting of the switch 12 is essentially the detection of a mode of the device, "i.e., whether the video/camera switch 12 is activated" (see col.10, lines 57-59) and that this initial step is to determine the protocol for the transport (see col.10, line 63 to col.11, line 39)); the transport controller creating a transport ID associated with said transport (implicit: see col.4, lines 26-29 and col.8, lines 50-54); notifying a transport layer of said transport ID (see col.4, lines 5-10 & 22-31: Takayama teaches of an IEEE 1212 regulation

Art Unit: 2155

standard that describes of bus ID and node ID (see col.4, lines 22-31) and how they are added into headers of packets (see col.8, lines 50-54) for “discriminating” between busses and devices, respectively. Therefore, it is implicit that this identifying information are notified and employed by each passing layer and device to correctly and efficiently route and process the packet.); indexing said transport ID (see col.4, lines 51-57 and col.8, lines 31-34); associating said indexed transport ID with a device (see col.4, lines 7-10 & 28-29 and col.5, lines 59-62 & 63 to col.6, line 3); assigning a transport instance to the created transport ID (see col.4, lines 7-10 and col.8, line 3-6); associating the transport protocol layer of the transport instance (see col.4, lines 5-10); and associating the transport instance with a device (see col.3, lines 35-39 and col.4, lines 7-10).

As per claim 7, Takayama teaches of further comprising creating a data record for each detected transport and storing the transport ID in association with said transport (see col.5, line 63 to col.6, line 3).

As per claim 8, Takayama teaches of further comprising notifying said transport layer of said data record (see col.4, lines 5-6).

### ***Conclusion***

6. Sampat et al (US 5,493,568 A) is reference from a search performed by the examiner. Sampat teaches of a conferencing system that provides audio, video, and data over two or more different transports.

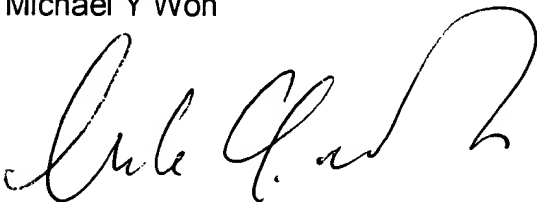
Art Unit: 2155

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y Won whose telephone number is (571) 272-3993. The examiner can normally be reached on M-Th: 6AM-3PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Y Won



October 19, 2004

  
**HOSAIN ALAM**  
**SUPERVISORY PATENT EXAMINER**